



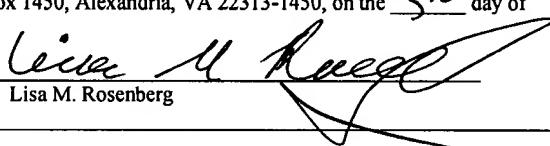
DOCKET NO.: C1039.70035US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No.: 09/669,187
Confirmation No.: 2999
Filed: September 25, 2000
For: IMMUNOSTIMULATORY NUCLEIC ACIDS
Examiner: David J. Blanchard
Art Unit: 1643

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 3rd day of August, 2007.


Lisa M. Rosenberg

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

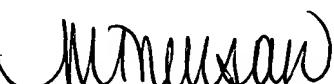
- Information Disclosure Statement
- PTO Form 1449 with cited references
- Copy of European Search Report dated May 11, 2007
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:



Maria A. Trevisan, Reg. No.: 48,207
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: C1039.70035US00

Date: August 3, 2007

x08/11/07x



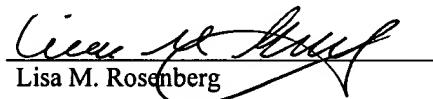
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Lisa M. Rosenberg

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and is being filed on or before payment of an Issue Fee.

The Applicant hereby states, as specified in 37 C.F.R. §1.97(e), that each item of information contained in this Information Disclosure Statement was first cited in any

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communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

The IDS processing fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International or Foreign National Application.

| <u>Serial No.</u> | <u>Mailing Date</u> | <u>Type(s) of Correspondence</u> | <u>Docket No.</u> |
|-------------------|---------------------|----------------------------------|-------------------|
| EP 05 01 9632 | May 11, 2007 | European Search Report | C1039.70035EP01 |

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

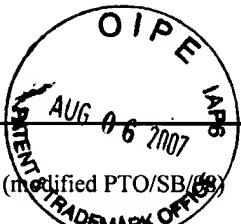
Respectfully submitted,

By:



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600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: C1039.70035US00
Date: August 3, 2007
x08/11/07x



FORM PTO-1449/A and B (modified PTO/SB/18)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 1

| | | | |
|------------------|--------------------|-------------------|------------------------------|
| APPLICATION NO.: | 09/669,187 | ATTY. DOCKET NO.: | C1039.70035US00 |
| FILING DATE: | September 25, 2000 | CONFIRMATION NO.: | 2999 |
| APPLICANT: | Krieg et al. | | |
| GROUP ART UNIT: | 1643 | | EXAMINER: David J. Blanchard |

U.S. PATENT DOCUMENTS

| Examiner's Initials # | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication or Issue of Cited Document MM-DD-YYYY |
|-----------------------|----------|----------------------|-----------|---|---|
| | | Number | Kind Code | | |
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FOREIGN PATENT DOCUMENTS

| Examiner's Initials # | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
|-----------------------|----------|-------------------------|----------|-----------|---|--|-------------------|
| | | Office/Country | Number | Kind Code | | | |
| | | WO | 00/46365 | A1 | Virginia Commonwealth University | 08-10-2000 | |
| | | WO | 00/67023 | A1 | CPG Immunopharmaceuticals GMBH | 11-09-2000 | |
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OTHER ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials # | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|-----------------------|----------|---|-------------------|
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EXAMINER:

DATE CONSIDERED:

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]